FINANCE SECRETARIAT

Issues clarification in the matter of Recovery of Royalty on Materials removed by the P. W. D. Contractors from Government Lands, etc., for bona fide use of Government works.

READ—

1. G. O. No. FD 22 BAP 60, dated 5th June 1962.
2. G. O. No. FD 22 BAP 60, dated 24th October 1962.

ORDER

No. FD 22 BAP 60, DATED BANGALORE, THE 7TH OCTOBER 1964
(ASVIJA 15, SAKA ERA 1886).

Certain doubts have been raised with regard to the recovery of Royalty on materials removed by the P. W. D. Contractors for *bona fide* use on Government works. In amplification of the existing procedure it is hereby directed that the following procedure be adopted in the matter uniformly throughout the State :—

(1) No provision for Royalty should be made in the concerned items in the Schedule of Rates as it is likely to inflate the District Schedule of Rates on the basis of which rates are quoted by the contractors for items of work done. However, in order to make the contractors aware of the recovery of royalty, a clause should be inserted in the Notice calling for the tenders to the effect that royalty will be levied on the materials removed by them from Government lands, etc., at the prescribed rates, the details of which could be obtained from the concerned offices ;

(2) Royalty, should be recovered in every case by the Executive Engineer concerned at the prescribed rates, if the materials, mentioned in the Schedule appended to this order are included in the items billed for in respect of work done by the contractor, irrespective of the source from which the materials are obtained. All such recoveries of royalty should be credited to the head "IX. Land Revenue-Miscellaneous."

(3) In respect of the formation of banks from the excavated stuff or spreading excavated murum, etc., for which labour charges only are allowed, no royalty need be recovered. However, if the formation of embankment or formation of roads, etc., is done from the materials obtained from burrow pits, etc., or for similar items for which full rates both for labour and materials are allowed, royalty for the materials used on these items should be recovered at the prescribed rates ;

(4) Royalty should also be recovered in respect of the materials obtained from the lands acquired for specific works or projects. But, the royalty so recovered should be credited to the concerned Revenue Head of the P. W. D. instead of to the head "IX. Land Revenue-Miscellaneous."

(5) (a) Refunds of royalty, if admissible under the terms of agreement should be allowed by the Executive Engineer only after due verification of the claim for refund. This refund should be made to the concerned contractor as indicated below :—

(i) In the case of materials obtained from Forest Department :—On the strength of the receipt issued by the Forest Department in respect of Seigniorage recovered by that Department.

(ii) In case of materials obtained from Revenue Department or from private quarries or lands—On the basis of refund bills countersigned by the authorities of the Revenue Department of the rank of Assistant Commissioner and above to the extent of fees actually credited to Government for removal of these materials. The bill for refund submitted to the Revenue Authorities should be supported by a copy of the challan as per which the fees due to Government were remitted into treasury.

(iii) The amount of royalty so refunded should not exceed the amount of royalty already recovered from the bills of the concerned contractor.

(b) With a view to avoid the possibility of double or excess refund of royalty in the above cases, the Executive Engineer should make a clear note of such refund of royalty on the duplicate copies of the bills from which the recovery of royalty was effected. The responsibility for correctness of the royalty refunded would entirely devolve on the concerned Executive Engineer.

(6) The existing rates for the recovery of royalty which are in F. P. S. System should be adopted in Metric Unit System as mentioned in the Schedule appended to this Order.

Note :—F. P. S. stands for—Foot, Pounds and Seconds.

By Order and in the name of the Governor of Mysore,

N. S. BHARATH,
Deputy Secretary to Government,
Finance Department (Budget).

Annexure

Schedule of rates of royalty recoverable from P. W. Contractors for removal of stones, sand, kankar and other materials from Government lands.

Description of materials	Method of measurement	Unit	In area situated within 10 miles from cities, Dist. Head Qtrs. and Towns with a population exceeding 25,000	All other places
1	2	3	4	5
			Rs. P.	Rs. P.
1 Ballast	Quantity brought to or delivered at the site of the work or at the store yard as per actual measurements	100 C. ft. Per Cum	1 00 0 35	0 75 0 27
2 Jelly/Metal or Gravel	Quantity brought to or delivered at the site of the work or at the store yard as per actual measurements	100 C. ft. Per Cum	1 00 0 35	0 75 0 27
3 Kankar taken from cultivated lands	Quantity brought to or delivered at the site of the work as per actual measurement	100 C. ft. Per Cum	2 00 0 70	1 50 0 50
4 Sand	Do Do	100 C. ft Per Cum	0 67 0 24	0 50 0 18
5 Bricks	Quantity of bricks brought to or delivered at the site of work	1 000 Nos.	2 00	1 50
6 Rough Stone including undressed burnt stone	Quantity of rough stone or undressed burnt stone brought to or delivered at the site of the work as per actual measurements	100 C. ft. Per Cum	2 78 0 98	2 11 0 74
7 Khandki Stones	Quantity of stones brought to or delivered at the site of the work as per actual measurements	100 Nos.	1 00	0 75
8 Fuller's earth	Quantity used on the work as per actual measurement	100 C. ft. Per Cum	5 56 1 96	4 17 1 47
9 Earth	Quantity used on the work as per actual measurements	100 C. ft. Per Cum	0 67 0 24	0 50 0 18